

**SUPREME COURT MINUTES
FRIDAY, JULY 8, 2005
SAN FRANCISCO, CALIFORNIA**

S012279

PEOPLE v. LUCAS (DAVID A.)
Extension of time granted

to September 9, 2005 to file respondent's brief. After that date, only two further extensions totaling about 125 additional days will be granted. Extension granted based upon Supervising Deputy Attorney General William M. Wood's representation that he anticipates filing the brief by 1-16-2006.

S034725

BURTON (ANDRE) ON H.C.
Extension of time granted

to petitioner to July 18, 2005 to file exceptions to the referee's report and brief on the merits. No further extension of time will be granted. Extension granted based upon counsel Marcia A. Morrissey's representation that she anticipates filing the brief by 7-17-2005. The time for the parties to serve and file responsive briefs is extended to and including 9-7-2005.

S035348

PEOPLE v. SMITH (ROBERT LEE)
Extension of time granted

to September 6, 2005 to file the reply brief. After that date, only one further extension totaling about 45 additional days will be granted. Extension granted based upon counsel Scott F. Kauffman's representation that he anticipates filing the brief by October 2005.

S067394

PEOPLE v. CAPISTRANO (JOHN L.)
Extension of time granted

to September 9, 2005 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling about 90 additional days will be granted. Counsel is

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ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S079179

PEOPLE v. BACON (ROBERT A.)
Extension of time granted

to September 6, 2005 to file appellant's opening brief.

S123180

LOVE (TERRELL) ON H.C.
Extension of time granted

Petitioner's time to serve and file the reply to informal response is extended to and including August 3, 2005.

S047867

PEOPLE v. VIRGIL (LESTER W.)
Order filed

Appellant's application to file over-length appellant's opening brief is granted.

S126780

C047231 Third Appellate District

CALIFORNIANS FOR AN OPEN PRIMARY v.
SHELLEY (LEGISLATURE)
Order filed

The above entitled matter is retitled as follows:

CALIFORNIANS FOR AN OPEN PRIMARY et al.,
Petitioners,
v.
BRUCE McPHERSON, as Secretary of State, etc.,
Respondent;
LEGISLATURE OF THE STATE OF
CALIFORNIA, Real Party in Interest.

S133752

F047833 Fifth Appellate District

TAYLOR (TIMOTHY) ON H.C.
Order filed

The order filed on June 29, 2005, denying the petition for review is amended as to the Court of Appeal district.

S133426

AMBROSE ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **Fred J. Ambrose, State Bar No. 183564**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133427

CALKINS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **Kenneth E. Calkins, Jr., State Bar No. 102633**, be suspended from the practice of law for one year, that execution of the one-year suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including restitution and ninety days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on February 17, 2005. It is also ordered that Calkins take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar, and one-third of the costs is to be added to and become a part of Calkins's annual State Bar membership fees for the years 2006, 2007, and 2008. (Bus. & Prof. Code, § 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133429

ALEXANDER ON DISCIPLINE
Recommended discipline imposed

It is ordered that **KENNETH B. ALEXANDER, State Bar No. 115336**, be suspended from the practice of law for four years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until he completes specified restitution, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for 18 months and until he complies with standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on March 8, 2005. Credit toward the period of actual suspension must be given for the period of interim suspension which commenced on June 7, 2004 (In re Young (1989) 49 Cal.3d 257, 270). It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006, 2007 and 2008.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133430**CASEY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **JOHN CHITTENDEN CASEY, State Bar No. 63949**, be suspended from the practice of law for three years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 18 months. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on March 9, 2005. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S133431**DONOVAN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **RICHARD C. DONOVAN, State Bar No. 195173**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing

Department of the State Bar Court in its order approving stipulation filed March 15, 2005. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006, 2007 and 2008.

S133435**RAGENT ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is ordered that **David Stefan Ragent**, State Bar No. **85267**, be disbarred from the practice of law in the State of California and that his name be stricken from the Roll of Attorneys. Ragent is ordered to comply with rule 955 of the California Rules of Court and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S135351**KIM ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **David Sangho Kim**, State Bar No. **175586**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

